



UTAH ATTORNEY GENERAL'S OFFICE July 2005

# *Legislative Briefing*

## **Thanks to the Legislature**

The Attorney General's Office would like to thank the Legislature for granting our employees a 2.5% Cost of Living Adjustment as well as a Market Comparability Assessment raise for many of our attorneys. We appreciate the support to help us retain a talented and dedicated workforce.

Our office has many highly trained attorneys who have gained years of professional experience working for the state. We will continue working to ensure that we have the best attorneys serving, protecting and defending the state and its entities.

Thank you for showing concern and appreciation for hundreds of state employees who are dedicated to the success of Utah.

## **Fighting to Reopen Public Roads**

The Attorney General's Office is fighting to reopen seven roads in Emery County that were shut down by the federal government in 2003. A lawsuit was filed against the Bureau of Land Management for closing county roads that run across federal land in the Rafael Swell.

"We are talking about roads that have been built and used by Utahns. It is time for Utahns to get their roads back," says Attorney General Mark Shurtleff.

Thanks to legislative funding, the Attorney General's Office is asking the courts to recognize state and local rights under R.S. 2477. This joint-effort with the Governor's Office and county governments is now called the Public Roads Over Public Lands Project.

## **Jury Reminds Utah Man that Taxes Are Not Optional**

A Washington County man decided that state income taxes were "unnecessary" and didn't file any tax returns or pay any taxes since the late 1990s. After being convicted on two felony counts of tax evasion on June 27, Daniel L. Carter, 34, now faces up to 20 years in prison, fines and \$10,000 in restitution. Assistant Attorney General Mark Baer and the Utah Tax Commission worked together on the successful investigation and prosecution.

## **Warren Jeffs and the UEP**

The Attorney General's Office obtained a restraining order on the FLDS-owned United Effort Plan and removed all six trustees, including leader Warren Jeffs, from its board.

A judge determined that these former trustees failed to protect the trust's land and property against pending lawsuits and that UEP assets were being sold at below market value. The failure of the trust could put homes and businesses in Hildale, Utah at risk.

Warren Jeffs was also indicted on child sex abuse charges in June for arranging a marriage between a 16-year-old girl and a 28-year-old man. Our office cooperated with the investigation.

The Attorney General's Office will continue to focus on crimes of child abuse, domestic violence and fraud in closed communities.

## **Taxpayers Spared \$3 Million Claim From I-15 Lawsuit**

Two state attorneys saved taxpayers \$3 million in a dispute over I-15 reconstruction. Price Development claimed that the new highway connecting I-80 to I-15 would decrease rent prices, increase vacancies and cause damage due to noise, fumes and smoke in the Time Square industrial park. An independent arbitrator decided that their claims were unsubstantiated. Assistant Attorneys General Jerrold Jensen and Randy Hunter represented UDOT in the case.

## **Salons Help Cut Domestic Violence**

Salons have recently joined forces with the Attorney General's Office in an effort to stop domestic violence in Utah. Attorney General Shurtleff has made the "CUT IT OUT" program available to more than 27,000 professionals and students throughout the state. The training curriculum teaches how to:

1. Recognize domestic abuse
2. Respond appropriately to a victim
3. Refer the victim to local resources to get professional assistance.

Utah has 14 experienced domestic violence professionals who have volunteered their time as trainers at no cost to taxpayers. During the CUT IT OUT training they will focus on maintaining safety for the victim, the salon professional/student, and most importantly, children who may be involved. Approximately 500 people have been trained since the CUT IT OUT program was launched on May 24th. Utah is the 16th state to implement the program.

## **AMBER Alert - Saving Lives**

The Utah Attorney General's Office is continually working to improve the state's AMBER Alert Plan. The Utah AMBER Alert Advisory Committee meets after every alert to review the efficiency of the system, the timeline of events and the need for adjustments in the future. Tests are conducted in May and September of each year to ensure that alerts continue to reach people who signed up to receive them on cell phones, pagers, computers or any text messaging device. Since 2002, 11 alerts have been issued in Utah and 10 children have been safely recovered. Sign up to receive alerts at [www.bci.utah.gov](http://www.bci.utah.gov).

## **Signs of Bid Rigging**

Two sign-language interpreting companies were sued by the Attorney General's Office for abusing the State's bidding system and making false statements. Signing Resources and InterWest Interpreting realized they were the only qualified bidders and agreed to bid the same price. The Utah Division of Purchasing initially awarded both companies the state contract but notified the Attorney General's Office after noticing the suspicious bidding pattern.

"What happened here was wrong. Taxpayers should be grateful that our antitrust attorneys and the Utah Division of Purchasing are looking after their interests," Attorney General Shurtleff said. Both companies have agreed to pay fines of \$120,000 and to follow a court order that forbids future bid rigging. Assistant Attorney General Wayne Klein represented the State in the case.

## **Utah Man Sentenced for Bilking Elderly Neighbor**

A Utah man stole over \$28,000 from an 84-year-old woman's bank account to buy a car, tires, wheels and a vacation. The Medicaid Fraud Unit of the Attorney General's Office discovered that Michael Redenbaugh convinced the widow to give him power of attorney and make him the only beneficiary of her will. A judge ordered Redenbaugh to go to jail, pay restitution, serve 100 hours of community service and sell the car that was purchased with the stolen money.

## **Shurtleff Leads Battle to Stop Internet Gambling**

Attorney General Shurtleff is leading an effort to protect state gambling laws from a World Trade Organization decision, which stated that Internet gambling should be treated like "other recreational services."

The Caribbean island of Antigua had demanded that the country's gambling services be opened up to everyone in the United States. "Antigua has no business trying write Utah's gambling laws," said Shurtleff.

Shurtleff and 28 other attorneys general sent a letter to the U.S. Trade Representative that warned the decision could ultimately stop all gambling regulations and could hamper the regulation of advertising and Internet spam and even affect zoning laws in individual states.

The Attorney General's Office represents the State in thousands of cases each year. If you need information on any matter being handled by our office, please contact Dave Johnson at 538-1357 or [davidjohnson3@utah.gov](mailto:davidjohnson3@utah.gov).